

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

Timothy D. Capron,

Plaintiff,

v.

5:12-CV-1618

Commissioner of Social Security,

Defendant.

THOMAS J. McAVOY
Senior United States District Judge

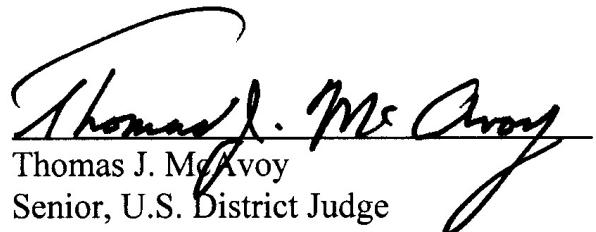
DECISION and ORDER

This matter was referred to the Hon. Andrew T. Baxter, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. No objections to the December 2, 2013 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court accepts and adopts the Report-Recommendation for the reasons stated therein.

Therefore, it is **ORDERED** that the Commissioner's decision be affirmed and the Plaintiff's complaint be **DISMISSED**.

IT IS SO ORDERED.

Dated: February 11, 2014


Thomas J. McAvoy
Senior, U.S. District Judge